

Notice of Allowability

Application No.

09/536,383

Examiner

Jeffrey A. Smith

Applicant(s)

RICHARDSON ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Board Decision re-mailed October 26, 2005.
2. ☒ The allowed claim(s) is/are 1, 6-8 and 10-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

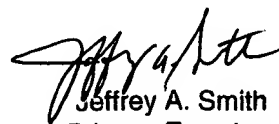
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


Jeffrey A. Smith
Primary Examiner

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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the Claims

Claims 24-27 have been cancelled.

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Examiner's Comment

Restriction Requirement

Withdrawn claims 13-17, and 19-23 are dependent upon allowed claims 1 and 10, respectively. The restriction requirement as to claims 13-17 and 19-23 is hereby withdrawn since all of these claims depend from or otherwise include each of the limitations of an allowed claim.

The Examiner notes that the restriction requirement of claims 24-27 has not been independently traversed (i.e. there is no argument directed to the restriction requirement of claims 24-27). Accordingly, claims 24-27 have been cancelled as being directed to claims non-elected without traverse.

Drawings

The drawings filed May 27, 2003 have been approved.

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REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Regarding claim 1

The prior art of record neither anticipates nor fairly and reasonably teaches a method for monitoring and managing a project comprising, *inter alia*, the steps of: setting a tasking horizon based on a predetermined time interval; and associating at least two verbs with at least one task related event for each of a plurality of tasks.

Regarding claim 10

The prior art of record neither anticipates nor fairly and reasonably teaches an apparatus for monitoring and managing a project comprising, *inter alia*, a management module for breaking a project into a plurality of tasks, for setting a tasking horizon and for assigning at least two verbs for at least one of said plurality of tasks.

The Examiner notes that the phrase "tasking horizon" is defined by Applicant as "a realistic planning window that corresponds to the length of time most employees can plan their

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work" (specification, page 6), "[t]he farthest point in time in the future where a manager believes a task will be completed as planned" (specification, page 8), and "a realistic window of time over which tasks can be scheduled" (specification, page 11). In other words, a tasking horizon is a period of time to schedule/complete a task or tasks.

Further, regarding the term "verb", the disclosure states (specification, page 12) that:

"Verbs are designed to capture the types of dialogue that a worker would use to explain why a task was or was not started and/or completed as planned. Verbs may be assigned for all tasks on a project or may change from task to task. By requiring the employee to select a verb, the employee/employer dialogue is standardized so that it is capable of analysis."

The most remarkable prior art of record is to Duncan. Although the referenced portions of the Duncan publication disclose a time span based on targeted start and stop dates for a task, the scheduled time period in Duncan may not necessarily be a realistic period or length of time needed to complete a task. Further, although the Duncan publication documents the reasoning behind corrective actions taken to keep a record of lessons learned for a historical database (paragraph 4.3.3.3, page 46), and presents a glossary of terms that are used during project management (page 157), Duncan never associates/assigns

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"at least two verbs" for at least one of the plurality of tasks as set forth in the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Gill et al. (WO 99/04370 A1) discloses a multi-media project management and control system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey A. Smith whose telephone number is (571) 272-6763. The examiner can normally be reached on M-F 6:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on (571) 272-7159. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jeffrey A. Smith
Primary Examiner
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